

### Remarks

- Reconsideration of the subject application is requested in view of the following remarks.

Claims 14-21 stand rejected as allegedly obvious in view of Vo et al. U.S. Patent 5,806,000 ("Vo"). This rejection is traversed. Claim 14 recites a method of signal processing to determine a message in a multiplexed digital signal. The multiplexed digital signal includes a voice channel assignment subchannel for voice channel assignment signals and a short messaging subchannel for short messaging signals (SMSs). The method comprises receiving the multiplexed digital signal and demultiplexing the multiplexed digital signal to generate a short messaging signal and a voice channel assignment signal. The voice channel assignment signal is screened from further processing, and the message is determined from the short messaging signal. Vo does not teach or suggest such a method. The Office action admits that Vo does not teach screening the voice channel assignment signal from further processing, but contends that such a modification would have been obvious to one of ordinary skill in the art. This contention is false. According to Vo, a short message signal can be used to notify a plurality of intelligent terminals (ITs) associated with a common pilot directory number (PDN) that a phone call is incoming. See Vo, col. 3, lines 30-36. Based on return data messages from at least one of the ITs, the call is routed to a selected IT. Col. 4, lines 36-40. The short message signals of Vo "can inform the subscriber of an incoming PDN call even if the IT is engaged in another terminal function such as a previously completed voice call." Thus, according to Vo, voice channel assignments continue to be processed so that voice calls can continue even while short message signals are processed in association with calls to a pilot directory number. As further described by Vo, an incoming call to a PDN is routed to a selected IT using call query messages that are sent to one or more ITs. Based on responses to the call query messages, a particular IT is selected. Col. 7, lines 27-56. As further described by Vo, "standard procedures for call setup are then followed." Col. 7, lines 56-58. If channel assignments were screened as recited in claim 14, the system of Vo would be unable to setup and route calls, and would not work for its intended purpose. If a proposed modification renders the prior art unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the claimed modification. M.P.E.P. , 8<sup>th</sup> Ed. 2143.02 (citing In re Gordon, 221 U.S.P.Q. 1125 (Fed. Cir. 1984)). Because Vo is directed to call routing, a skilled worker would not be motivated by Vo to screen voice channel

assignments, but instead, to process voice channel assignments, and claims 14-17 are properly allowable over Vo.

Claim 18 recites a method of receiving a message on a digital control channel for use in a cellular messaging network. The method comprises receiving voice channel assignment signals related to the assignment of voice channels and short messaging signals based on the message from the digital control channel. The voice channel assignment signals and the short messaging signals are distinguished, and the voice channel assignment signals are discarded. As noted above, Vo does not teach or suggest such a method. According to Vo, short messaging signals can be used to determine a call destination for a call directed to a common pilot directory number (PDN). Col. 3, lines 30-36. Thus, instead of discarding voice channel assignment signals, Vo teaches uses short messaging signals to setup voice channel signals. If voice channel assignment signals were discarded, the system of Vo would be unable to direct a call to a selected destination. Because modifying the system of Vo to screen voice channel assignment signals would render the system of Vo unsatisfactory for call routing, claim 18 and dependent claims 19-21 are properly allowable over Vo.

In view of the preceding remarks, claims 14-21 are in condition for allowance, and action to such end is requested.

Respectfully submitted,

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